THE HON'BLE SRIJUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.9596 of 1998

Dated 16.03.2007

Between:

G.Vijay Kumar S/o G.Manik Rao

... **PETITIONER**

And:

The Commissioner, Nagara Panchayat,
Zaheerabad, Medak District.

... RESPONDENT

THE HON'BLE SRIJUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.9596 of 1998

ORDER:

Petitioner was granted lease for a period of three years from 01.09.1994 to 31.08.1997, in respect of the shop in the first floor of IDSMT building of the respondent situated at National Highway No.9, Subash Ganj, Zaheerabad, on a monthly rent of Rs.6,000/-, and subsequently, the petitioner also spent huge amounts for repairing the said building. However, the respondent issued a notice dated 11.02.1998 directing the petitioner to vacate the said building within three days, for which the petitioner submitted an explanation dated 04.03.1998 requesting the respondent to extend the lease for further 10 years. Now the grievance of the petitioners is that while the lease granted to some other lessees along with the petitioner was extended upto 10 years, the respondent denied to extend the lease granted in favour of the petitioner, instead, by impugned notice directed him to vacate the shops in question. Hence, this writ petition.

Despite service of notice, the respondent has not chosen to file any counter.

Heard both the counsel.

This Court while issuing rule nisi on 07.04.1998 directed the respondent to consider the application of the petitioner dated 04.03.1998 for extension of lease, within a period of three weeks from the date of receipt of the said order.

Having heard both the counsel, this Court is of the view that the respondent shall consider the request of the petitioner for extension of lease granted in his favour, subject to payment of agreed rent, as was considered in respect of other similarly situated tenants.

With the above direction, the writ petition is allowed. There shall be no order as to costs.

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16.03.2007

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